(Mount Clipping In Space Below)

Chance ~~For~~ Testing Rifle Is Bypassed

Comment On Bullet Pieces Declined By Hanes

Although authorized to do so by Criminal Court Judge W. Preston Battle, attorneys for James Earl Ray, charged with the murder of Dr. Martin Luther King Jr., said they have no present plans to test fire the rifle police say was the death weapon.

Attorney Arthur J. Hanes, who returned to his home in Birmingham Wednesday after filing new motions in the case, declined to say whether he eventually will have a ballistics expert fire the gun. The rifle is in the Criminal Court's safety vault in the County Office Building.

Mr. Hanes, who with his son Arthur Hanes Jr., is conducting the Ray defense, declined to comment on fragments of the fatal bullet taken from Dr. King's body in the Shelby County medical examiner, which he recently inspected.

The 30-caliber bullet was of the type used to hunt deer, it has been reported. Soft-nosed, such a bullet explodes upon impact.

The gun was found in front of Canipe Amusement Co. at 424 South Main, next door to the building from the rear of which Dr. King was shot.

(Indicate page, name of newspaper, city and state.)

Page 38

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